

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PROGRESSIVE AMERICAN)
INSURANCE COMPANY,)
)
Plaintiff,)
)
vs.)
)
CAROL THORN; JOLEEN LEEA)
COLON; DALE EUGENE)
KIRKINDOLL; ELIZABETH S.)
KIRKINDOLL; THOMAS HOLT)
KIRKINDOLL; JAMES W. GRIFFIN)
SANDRA L. GRIFFIN; PATRICK A.)
BELT; CHRISTOPHER B. BELT;)
GENE STEGMAIER; ESTATE OF)
WILLIAM R. KLAUSS, a deceased)
minor; ESTATE OF CHERETY THORN)
a deceased minor; LV STABLER)
MEMORIAL HOSPITAL; BRPT LAKE)
REHABILITATION CENTER; BUTLER)
COUNTY EMERGENCY MEDICAL)
SERVICES;)
)
Defendants.)

CIVIL ACTION NUMBER:2:06cv717-1D

Motion to Dismiss Interpleader Defendants

Comes now the plaintiff, Progressive American Insurance Company ("Progressive"), and requests the clerk of court to dismiss defendant, Our Lady of the Lake Regional Medical Center, from this interpleader action. In support of the motion, Progressive shows unto the court as follows:

1. Our Lady of the Lake Regional Medical Center was added as a defendant in this action because it may have provided medical treatment or benefits to individuals involved in the accident that made the basis of this lawsuit.

2. Our Lady of the Lake Regional Medical Center has been served with the interpleader complaint. It's attorney has confirmed that it is not seeking any recovery for medical treatment or benefits provided to the individuals involved in this accident.

/s/ R. Larry Bradford
R. Larry Bradford, Attorney for
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Attorney Bar Code: BRA039

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that I have this the 1st day of October, 2007, served a copy of the foregoing to all attorneys of record by placing a copy of same in the United States Mail, postage prepaid and properly addressed as follows:

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